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9	Attorneys for United States of America		
11	LINITED STAT	ES DISTRICT COLIRT	
	UNITED STATES DISTRICT COURT		
12	NORTHERN DISTRICT OF CALIFORNIA		
13	SAN FRANCISCO DIVISION		
14	UNITED STATES OF AMERICA,) No. CR 16-00440 WHA	
15	Plaintiff,	 STIPULATION AND [PROPOSED] ORDER EXCLUDING TIME FROM APRIL 4, 2018, THROUGH APRIL 17, 2018. 	
16	v.		
17	YEVGENIY ALEXANDROVICH NIKULIN,		
18	Defendant.))	
19))	
20	Defendant Yevgeniy Nikulin, represented by Deputy Federal Public Defender Gabriela Bischof,		
21	and the government, represented by Assistant United States Attorneys Michelle J. Kane and Matthew A.		
22	A. Parrella, hereby stipulate to the following:		
23	1. The parties appeared before the Court on April 4, 2018, for a detention hearing and		
24	attorney appointment.		
25	2. The Court set the next appearance in the case before United States District Judge William		
26	Alsup on April 17, 2018, at 2:00 p.m. The Court also set a further status conference regarding the		
27	defendant's financial affidavit for April 30, 2018, at 9:30 a.m., before United States Magistrate Judge		
28	Elizabeth D. Laporte;		
	STIPULATION & [PROPOSED] ORDER		
	CR 16-00440 WHA		

1	3. The parties agreed that the time until the next appearance on April 17, 2018, was		
2	necessary for effective preparation of counsel. The government and defense therefore agreed on an		
3	exclusion of t	ime under the Speedy Trial Act bet	ween April 4, 2018, and April 17, 2018, and the Court
4	so ordered;		
5	4.	At the hearing, the parties and the	Court signed a stipulation and order excluding time
6	under the Speedy Trial Act, which was filed as ECF No. 11, however, the stipulation erroneously listed		
7	the period of exclusion as April 4, 2018, through April 10, 2018;		
8	5. To clarify the record, the parties hereby agree that the time between April 4, 2018, and		
9	April 17, 2018, is necessary for effective preparation, taking into account the exercise of due diligence,		
0	and that the ends of justice served by excluding the period from April 4, 2018, through April 17, 2018,		
1	from Speedy Trial act calculations outweigh the interests of the public and defendant in a speedy trial, in		
12	accordance with 18 U.S.C. §§ 3161(h)(7)(A) and (B).		
13	IT IS SO STI	PULATED.	
14	DATED: Apr	il 6, 2018	Respectfully submitted,
15			ALEX G. TSE Acting United States Attorney
16			Acting Officed States Attorney
17			/s/
18			MICHELLE J. KANE MATTHEW A. PARRELLA
19			Assistant United States Attorneys
20			STEVEN G. KALAR
21			Federal Public Defender
22			
23			<u>/s/</u> GABRIELA BISCHOF
24			Counsel for Yevgeniy Alexandrovich Nikulin
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ORDER Based upon the representations of counsel at the April 4, 2018, hearing and the written stipulation, and for good cause shown, the Court finds that failing to exclude the time between April 4, 2018, and April 17, 2018, would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between April 4, 2018, and April 17, 2018, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, IT IS HEREBY ORDERED that the time between April 4, 2018, and April 17, 2018, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv). IT IS SO ORDERED. Dated: HON. ELIZABETH D. LAPORTE United States Magistrate Judge